

8/27/2013  
#23

Good morning, I am Emily McIntyre, Victim Advocate with the Oakland County Prosecutor's Office. I am proud to have served there for 27 years, currently working under Prosecuting Attorney Jessica Cooper. I also serve as an appointee of Governor Rick Snyder on the Crime Victim Services Commission. As a victim advocate, I have worked on several homicide cases involving defendants that were under the age of 18 when they committed their crime. It goes without saying that the grief and anguish of the victims' families in these cases cuts just as deep as those families whose loved ones were murdered by adults. In fact, cases involving young defendants have often caused more anguish for the families. Some have felt mixed emotions about them being sentenced to life without parole – what a waste of another life and how badly their families must feel. However, not once was I told that they wanted the perpetrator to receive a lesser sentence. All felt that these predatory individuals must be locked away for life to protect society.

The first such case I worked on was in 1987. Two juveniles committed a rape and murder. One of them was 14 years old and because of the laws at that time, was charged as a juvenile with First Degree Murder. He was convicted of Second Degree Murder and placed in the custody of the agency that is now our Department of Human Services. When he was released a few years later, he began to commit crimes, culminating in the murder of another woman in 1996. During the prosecution of this second murder, the family of the first victim contacted me and not surprisingly, needed victim services again. They were greatly relieved when he was sentenced to life without parole for this homicide. Thank God they do not have to worry about him seeking relief under the recent U.S. Supreme Court ruling, since he was an adult when he murdered the second time.

The other defendant in the 1987 case was nearly 16 years of age when he committed this heinous crime. He was prosecuted as an adult, convicted of First Degree Murder and sentenced to life without parole. He is currently seeking relief under the Miller ruling, but his motion is being held in abeyance, pending the resolution of *People v Carp*. I dread the day that I may have to provide that family victim services again. If it is determined that the Miller ruling is retroactive, murder victims' families will suffer the trauma of re-victimization, having their cases re-opened to consider the possible release of the perpetrators that killed their loved ones. I cannot imagine how that would feel.

I urge the Michigan Legislature to adopt a law in response to the Miller ruling that requires a Life sentence for those juvenile perpetrators that commit First Degree Murder, leaving the decision to the sentencing judge as to whether it will be with or without parole. Thank you.

Emily McIntyre Hancock  
Oakland County Prosecutor's Office  
1200 N Telegraph Rd  
Pontiac, MI 48341  
248-858-0707